

**REMARKS**

Claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 are pending in the current application. Claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 currently stand rejected, and claims 1 and 26-29 have been amended. Reconsideration and withdrawal of the rejections to claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 are respectfully requested in light of the preceding amendments and following remarks.

**Claim Rejections – 35 U.S.C. § 103**

Claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat Pub 2002/0164152 to Kato et al. (“Kato”) in view of US Pat Pub 2001/0046371 to Ando et al. (“Ando”). Applicants respectfully traverse this rejection for the reasons detailed below.

With respect to claim 1 as previously presented, the Examiner alleges that Ando discloses “the audio data configured to be reproduced **asynchronously and independently from the still picture unit,**” which is admittedly missing from Kato, by Ando’s random still picture shuffle functionality. Applicants respectfully submit that when a still picture is presented in Ando, randomly or otherwise, **specific audio data is always reproduced synchronously with and dependently upon reproduction of the corresponding still picture.** Particularly, Ando shows, in FIG. 28A and 28B, audio data (ASVOB) corresponding to particular still picture reproduction (cell

positions) in both normal and user-defined still-picture playback. This relationship is further identified in FIG. 40, where audio presentation is always coordinated with still picture display timing. See Ando, ¶ [0468] (“presentation of ASVS is defined with the entry point for a display list in the original PGC or user defined PGC”). Even if Ando randomly reproduces still pictures, audio corresponding to a randomly-displayed still picture will still be reproduced **based on the still picture’s reproduction**. Thus, Ando does not teach or suggest “the audio data configured to be reproduced asynchronously and independently from the still picture unit,” as recited in claim 1 as previously presented.

Applicants further note that claim 1 has been amended to clarify that the data associated with the still picture in the still picture unit is “**graphic** data.” The presentation time stamp of Kato, applied as the recited “associated data” is not content data, let alone “graphic data”; rather, the presentation time stamp is **management** data indicating a time for presentation. See Kato, ¶¶ [0151], [0190]. Thus, Kato does not teach the recited “associated graphic data” as recited in claim 1 as amended, for which Kato alone is applied.

Kato and Ando do not complementarily cure the differences between these two references and the claims, as discussed above. Particularly, Kato does not disclosure Ando does not teach or suggest independent or asynchronous reproduction of audio and still picture data, and Ando does not teach or suggest still picture units including a still picture and associated graphic data. Because Kato, alone or in combination with Ando, fails to teach

or suggest each and every feature of claim 1, these references cannot anticipate or render obvious claim 1. Claims 26-29, as previously presented and amended, recite the same features of claim 1 not found in Kato or Ando and are thus equally allowable over these references. Claims 2-11, 32-35, 39-42, 46-49, and 53-56 are allowable at least for depending from an allowable base claim. Withdrawal of the rejection under 35 U.S.C. § 103 to claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 is respectfully requested.

Entry of Amendment Requested

Entry and consideration of the above claim amendments and remarks is respectfully requested following the closing of prosecution in the subject application. Particularly, Applicants' traversal above is based, in part, **upon the claims as previously presented**, such that the Examiner may reconsider the present rejections without search or consideration of any claim amendment. Further, where Applicants' traversal otherwise relies upon claim amendments, such amendments are minor clarifying amendments that place the application in position for allowance. Thus, entry of this amendment after final under 37 C.F.R. § 1.116 is permitted and respectfully requested.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-11, 26-29, 32-35, 39-42, 46-49, and 53-56 in connection with the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ryan Alley at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

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